

REMARKS

Claim 1 stands rejected under 35 USC 103 over Eyring et al in view of Scott and further in view of Takagi. It appears from the examiner's discussion of Takagi, that the examiner relies on Takagi only with respect to the features of claims 6 and 9, and consequently that the examiner considers that the combined disclosures of Eyring et al and Scott are sufficient to render the independent claims 1 and 7 obvious to a person having ordinary skill in the art.

Takagi is not cited in Form PTO-892 and applicant therefore requests that this document should be properly made of record in this application.

As noted in the reply to the previous action, Eyring et al discloses that a tilt up concrete wall panel may be provided with a decorative recess or rustication by use of a clip or channel member 22 attached to a concrete floor 14 and a rustication member 35 that is attached to the clip member. When the concrete wall panel is elevated, the panel separates easily and cleanly from the rustication member 35, which may then be pulled from the retaining clip 22. The retaining clip is then removed from the concrete floor 14 by removing the screw 34.

Scott discloses a technique for embedding brick pavers in a cast concrete wall to provide the appearance of a brick wall. As described with reference to FIGS. 1-4, brackets 24 are secured to the inside surface of a vertically oriented wall form 12 by staples, nails or adhesive. Brick pavers B are held in the brackets by adhesive. Concrete C is poured into the cavity between the the wall form 12 and a spaced parallel vertical wall form 14 and fills the space between the wall forms that is not occupied by the brackets 24 and brick pavers B. Once the concrete C has set, the forms 12 and 14 are removed and the brackets 24 are removed, leaving the brick pavers partially embedded in the concrete and secured firmly thereto. Thus, Scott discloses that in the context of construction of a cast concrete wall, adhesive may be used to secure objects together.

In connection with claim 1, the examiner acknowledges that Eyring et al does not disclose the step of applying a layer of adhesive material to the coating of releasing agent or applying a layer of adhesive material to a length of reveal strip, but points out that Scott discloses that the brackets 24 are secured to the form 12 using adhesives. The examiner suggests that the form 12 of Scott corresponds to the horizontal surface recited in claim 1 and that the bracket 24 corresponds to the reveal strip recited in claim 1.

Claim 1 requires that adhesive be applied to both the coating of releasing agent and the length of reveal strip, but Scott does not disclose whether the adhesive is applied to the bracket (reveal strip) and the adhesive coated bracket is placed against the wall form 12 (horizontal surface), or the adhesive is applied to the wall form 12 and the bracket is placed against the adhesive coated form. In any event, Scott does not disclose or suggest that releasing agent is applied to the form. Scott does not disclose or suggest that the adhesive material used to secure the brackets 24 to the wall form 12 should be applied over a coating of a releasing agent.

In view of the foregoing, applicant submits that the subject matter of claim 1 is not disclosed or suggested by the cited references, whether taken singly or in combination. Therefore, claim 1 is patentable and it follows that the dependent claim 6 also is patentable.

The arguments presented above in support of claim 1 apply equally to claim 7. Therefore, claim 7 is patentable and it follows that the dependent claims 8 and 9 also are patentable.

The examiner asserts that Takagi teaches that it is known to coat a rustication casting surface with a release agent, and draws attention to paragraph 1 of Takagi in this connection. Paragraph 1 of Takagi does not refer to a release agent but paragraph 2 indicates that the casting surface may be coated with a release agent to facilitate easy separation between it and the panel. In the context of Takagi, the casting surface is the flat,

horizontal concrete floor on which forms are placed to define a cavity into which concrete is poured. The casting surface is not a surface of the rustication or reveal strip. Applicant therefore submits that claims 6 and 9 are patentable independently of claims 1 and 7 respectively.

Respectfully submitted,



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